

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TAXATION**

**Call to Order:** Chairman Jeff Essmann, on March 27, 2009 at  
9:00 A.M., in Room 405 Capitol

#### **ROLL CALL**

##### **Members Present:**

Sen. Jeff Essmann, Chairman (R)  
Sen. Taylor Brown, Vice Chairman (R)  
Sen. Jerry W. Black (R)  
Sen. Gary Branae (D)  
Sen. Ron Erickson (D)  
Sen. Kelly Gebhardt (R)  
Sen. Kim Gillan (D)  
Sen. Bradley Hamlett (D)  
Sen. Christine Kaufmann (D)  
Sen. Bruce Tutvedt (R)

**Members Excused:** Sen. Bob Story Jr. (R)

**Members Absent:** None

**Staff Present:** Lee Heiman, Legislative Branch  
Debra Polhemus, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: SB 512, SB 513; 3/24/2009  
SB 514; 3/25/2009

Executive Action: SB 513 ~ TABLED

**HEARING ON SB 512**

**Opening Statement by Sponsor:**

00:00:46 Sen. Jonathan Windy Boy (D), SD 16, opened the hearing on SB 512, Educational tax credits.

**Proponents' Testimony:**

00:03:37 Steve White, Legislative Liaison, Montana Coalition of Home Educators, Bozeman (MCHE)

00:06:11 Jeff Laszloffy, Montana Family Foundation (MFF)

**Opponents' Testimony:**

00:09:45 Eric Feaver, MEA/MFT

**EXHIBIT (tas68a01)**

00:18:59 Ann Gilkey, Chief Legal Counsel, speaking for State Superintendent of Public Instruction Denise Juneau

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:21:17 Sen. Gillan  
00:22:39 Eric Feaver, MEA/MFT  
00:23:48 Sen. Gillan  
00:24:00 Jeff Laszloffy, MFF  
00:24:41 Sen. Kaufmann  
00:24:58 Steve White, MCHE  
00:26:28 Sen. Black  
00:27:12 Steve White  
00:30:43 Sen. Brown  
00:31:01 Jeff Laszloffy  
00:33:21 Sen. Erickson  
00:34:44 Eric Feaver  
00:39:26 Sen. Brown  
00:39:40 Jeff Laszloffy  
00:40:34 Chairman Essmann  
00:41:33 Eric Feaver  
00:44:02 Sen. Hamlett  
00:45:05 Sen. Windy Boy

**Closing by Sponsor:**

00:47:09 Sen. Windy Boy

**HEARING ON SB 514**

**Opening Statement by Sponsor:**

00:48:41 Sen. Jonathan Windy Boy (D), SD 16, opened the hearing on SB 514, Tax exemption for enrollee of any tribe of reservation source income.

[EXHIBIT](#)(tas68a02)

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:**

00:53:49 Brian Olsen, Department of Revenue (DOR)

**Questions from Committee Members and Responses:**

00:54:16 Sen. Tutvedt  
00:54:36 Sen. Windy Boy  
00:59:42 Chairman Essmann  
01:00:20 Sen. Windy Boy  
01:00:31 Sen. Hamlett  
01:01:17 Sen. Windy Boy  
01:03:25 Lee Heiman, Legislative Services Division (LSD)  
01:03:43 Sen. Erickson  
01:04:24 Sen. Windy Boy  
01:05:02 Sen. Kaufmann  
01:05:14 Brian Olsen, DOR  
01:06:21 Sen. Tutvedt  
01:06:54 Sen. Windy Boy  
01:10:29 Sen. Tutvedt  
01:10:37 Brian Olsen

**Closing by Sponsor:**

01:12:10 Sen. Windy Boy

01:13:26 Recess

01:29:18 Reconvene

**HEARING ON SB 513**

**Opening Statement by Sponsor:**

01:29:37 Sen. John Brueggeman (R), SD 6, opened the hearing on SB 513, Circuit breaker program to mitigate reappraisal.

[EXHIBIT\(tas68a03\)](#)

[EXHIBIT\(tas68a04\)](#)

[EXHIBIT\(tas68a05\)](#)

[EXHIBIT\(tas68a06\)](#)

[EXHIBIT\(tas68a07\)](#)

[EXHIBIT\(tas68a08\)](#)

**Proponents' Testimony:**

01:46:07 Tara Veazey, Montana Budget and Policy Center, Helena

[EXHIBIT\(tas68a09\)](#)

01:53:26 Bob Decker, The Policy Institute, Helena

01:56:32 Alec Hansen, League of Cities and Towns

**Opponents' Testimony:**

02:01:02 Mary Whittinghill, Montana Taxpayers Association (MTA)

02:07:55 Ronda Wiggers, representing Great Falls and Helena Chambers of Commerce

02:13:14 Chris Christiaens, representing Montana Farmers Union

02:14:33 Nancy Schlepp, representing Montana Farm Bureau Federation (MFBF)

02:16:24 Jim Brown, representing Montana Stockgrowers Association

**Informational Testimony:**

02:17:34 Alan Peura, Deputy Director, Department of Revenue (DOR)

**Questions from Committee Members and Responses:**

02:18:27 Sen. Kaufmann

02:18:48 Nancy Schlepp, MFBF

02:19:05 Sen. Kaufmann

02:19:38 Sen. Brueggeman

[EXHIBIT\(tas68a10\)](#)

02:21:53 Sen. Kaufmann

02:22:28 Randy Wilke, DOR

02:23:50 Sen. Tutvedt

02:24:35 Sen. Brueggeman

02:25:43 Sen. Tutvedt

**Questions from Committee Members and Responses: (Con't)**

02:26:25 Alan Peura, DOR  
 02:28:03 Sen. Tutvedt  
 02:28:11 Sen. Kaufmann  
 02:28:31 Sen. Tutvedt  
 02:28:50 Alan Peura  
 02:30:29 Sen. Tutvedt  
 02:30:58 Sen. Gillan  
 02:32:03 Sen. Brueggeman  
 02:33:38 Sen. Erickson  
 02:34:12 Sen. Brueggeman  
 02:35:18 Sen. Erickson  
 02:35:40 Mary Whittinghill, MTA  
 02:39:35 Sen. Erickson  
 02:39:53 Mary Whittinghill  
 02:40:54 Sen. Tutvedt  
 02:41:47 Mary Whittinghill  
 02:45:02 Sen. Kaufmann  
 02:46:20 Mary Whittinghill  
 02:48:44 Sen. Kaufmann  
 02:49:04 Sen. Brueggeman  
 02:51:23 Chairman Essmann  
 02:52:11 Alan Peura  
 02:52:37 Chairman Essmann  
 02:54:57 Sen. Brueggeman  
 02:56:34 Chairman Essmann  
 02:59:51 Sen. Brueggeman  
 03:00:56 Sen. Gebhardt  
 03:01:09 Sen. Brueggeman  
 03:02:24 Sen. Gebhardt  
 03:06:14 Alan Peura

**Closing by Sponsor:**

03:07:08 Sen. Brueggeman

**Committee Business:**

03:12:59 Sen. Kaufmann  
 03:13:43 Chairman Essmann  
 03:14:30 Sen. Erickson  
 03:14:54 Chairman Essmann  
 03:15:59 Sen. Gillan  
 03:16:16 Chairman Essmann

**EXECUTIVE ACTION ON SB 513**

03:16:54 **Motion:** Sen. Kaufmann moved that **SB 513 DO PASS.**

**Discussion:**

03:17:02 Sen. Gillan  
03:19:18 Sen. Brown  
03:20:01 Sen. Tutvedt  
03:21:24 Sen. Erickson  
03:22:20 Sen. Brown  
03:22:39 Chairman Essmann  
03:23:10 Sen. Black  
03:24:11 Chairman Essmann  
03:24:26 Sen. Hamlett  
03:25:03 Sen. Kaufmann  
03:27:20 Sen. Gebhardt  
03:29:54 Chairman Essmann

03:32:32 **Substitute Motion/Vote:** Sen. Black made a substitute motion that **SB 513 BE TABLED.** Substitute motion carried 6-5 by roll call vote with Sens. Branae, Erickson, Gillan, Hamlett, and Kaufmann voting no and Sen. Story voting by proxy.

**ADJOURNMENT**

Adjournment: 12:40 P.M.

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Debra Polhemus, Secretary

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Additional Documents:

**EXHIBIT ([tas68aad.pdf](#))**